

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Johansen et al.
SERIAL NUMBER: 10/806,793 EXAMINER : Kimberly A. Ballard
FILING DATE: March 22, 2004 ART UNIT : 1649
FOR: NOVEL NEUROTROPHIC FACTORS

January 22, 2007
Boston, Massachusetts
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed on November 21, 2006 in the above-referenced application, Applicants provisionally elect the invention of Group XXIX, claims 80-86, drawn to a method of treating or preventing a disorder of the eye, comprising administering a cell line expressing a Neublastin polypeptide of SEQ ID NO:12, classified, for example, in class 424, subclass 93.7. Applicants make this election with traverse.

Applicants note that SEQ ID NOS: 10, 11, and 12 are truncated versions of the pre-pro-Neublastin polypeptide recited in SEQ ID NO:9. Accordingly, any search for peptides comprising the amino acid sequence of SEQ ID NO:12 will necessarily find SEQ ID NOS:9-11. Therefore, Applicants submit that the inventions of Groups XXVI-XXIX can be searched at the same time without undue burden on the Examiner. As such, Applicants request that the Examiner withdraw this Restriction Requirement with respect to Groups XXVI-XXIX and search SEQ ID NOS:9-12 at the same time.

Applicants also submit herewith a Petition for a One-Month Extension of Time, along with the appropriate fee. With the extension, this Response is due on or before January 22, 2007 (January 21, 2007 being a Sunday).

Although Applicant believes no additional fees are due with this submission, the Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 19313-001 CON.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christina K. Stock", written over a horizontal line.

Ivor R. Elrifi, Reg. No. 39,529

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